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E-FILED 12/1/08

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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

12 Mohamed Abouelhassan,) Case No. C 08-03774 RS
13 Plaintiff,)
14 v.)
15 United States, et al.,)
16 Defendants.)
17 _____)

**STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME FOR
RESPONSE TO COMPLAINT,
CONSENTING TO MAGISTRATE,
AND SCHEDULING CASE
MANAGEMENT CONFERENCE**

18 The parties to this action, through their counsel of record, hereby stipulate that defendants
19 may have an extension of time to and including December 30, 2008, to answer, move, or
20 otherwise respond to the complaint. Defendants currently anticipate filing a motion to dismiss.

21 In addition, in accordance with the provisions of Title 28, U.S.C. Section 636(c), all
22 parties hereby voluntarily consent to have a United States Magistrate Judge conduct any and all
23 further proceedings in this case, including trial, and order the entry of a final judgment. Appeal
24 from the judgment shall be taken directly to the United States Court of Appeals for the Ninth
25 Circuit.

26 This case was recently deemed related to a previously filed case, *Mohamed*
27 *Abouelhassan v. Allison, et al.*, Case No. C07-4038 RS, which has been stayed. Accordingly, the
28 previously scheduled case management conference was vacated. The parties request that the

1 initial case management conference for the instant case be scheduled in approximately 120 days
2 to allow for a hearing on defendants' expected motion to dismiss.

3 IT IS SO STIPULATED.

4 Respectfully submitted,

5 DATED: November 26, 2008

JOSEPH P. RUSSONIELLO
United States Attorney

6
7 /s/ Claire T. Cormier¹

8 CLAIRE T. CORMIER
9 Assistant United States Attorney

10 DATED: November 25, 2008

11 /s/ Mark Malachowski

12 MARK MALACHOWSKI
13 Attorney for Plaintiff

14 **[PROPOSED] ORDER**

15 Pursuant to the stipulation of the parties, the deadline for defendants to answer, move, or
16 otherwise respond to plaintiff's complaint is extended to December 30, 2008. The initial case
17 management conference will take place on April 1, 2009 at 2:30 p.m.
18 A Joint Case Management Statement is due seven calendar days before the conference.

19 IT IS SO ORDERED.

20
21 DATED: December 1, 2008


22 RICHARD SEEBOORG
23 UNITED STATES MAGISTRATE JUDGE
24
25
26
27

28 ¹ I, Claire T. Cormier, hereby attest that I have on file all holographic signatures for any
signatures indicated by a "conformed" signature (/s/) within this e-filed document.